

## **REMARKS**

### **Summary of the Office Action**

The Specification stands objected to for not including appropriate headings.

Claims 1-3, 6, 7, 10-12, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,301,242 to *Lindsay et al.* in view of U.S. Patent No. 6,775,259 to *Ranta*.

Claims 4, 5, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Lindsay et al.* in view of *Ranta*, and further in view of U.S. Patent No. 5,600,707 to *Miller*.

### **Summary of the Response to the Office Action**

A substitute specification has been submitted concurrently herewith.

Applicants respectfully traverse all rejections under 35 U.S.C. § 103(a).

Accordingly, claims 1-7, and 10-16 are presently pending for further consideration, claims 8 and 9 having been withdrawn.

### **Objection to the Specification**

In the Office Action, the Examiner objected to Applicants' Specification for not including headings. A substitute specification has been submitted concurrently herewith. No new matter has been introduced. Accordingly, Applicants respectfully request that the objection be withdrawn.

### **All Claims Recite Allowable Subject Matter**

Claims 1-3, 6, 7, 10-12, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Lindsay et al.* in view of *Ranta*. Claims 4, 5, 13, and 14 stand rejected

under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Lindsay et al.* in view of *Ranta*, and further in view of *Miller*.

As previously presented, independent claim 1 recites a method including at least the step of terminating the set up of the call channel once the user message has been communicated. Similarly, independent claim 10 recites a method including at least the step of terminating the setting up of the call channel once a reply to the user message has been received. *Lindsay et al.* and *Ranta*, whether taken alone or in combination, fail to teach or suggest at least these features of independent claims 1 and 10.

The Office equates several portions of *Lindsay et al.* (column 24, lines 30-50, column 27, line 36 to column 28, line 26, and column 30, and line 66 to column 31, line 24) with the claimed step of terminating the set up of the call channel once the user message has been communicated. Applicants respectfully disagree.

*Lindsay et al.* discloses that a network releases a connection in progress or during link setup. Such a release may be initiated by the network, or result from authentication rejection. (Col. 24, lines 30-50). In contrast to the claims 1 and 10, *Lindsay et al.* does not teach or fairly suggest terminating the set up of the call channel once the user message has been communicated. Accordingly, *Lindsay et al.* fails to teach or suggest each and every feature of claims 1 and 10. Neither *Ranta* nor *Miller* cure this deficiency in *Lindsay et al.* Thus, the rejection of claims 1 and 10 should be withdrawn.

As pointed out in M.P.E.P. § 2143.03, all the claimed limitations must be taught or suggested by the prior art to establish *prima facie* obviousness of a claimed invention. Because *Lindsay et al.* and *Ranta*, whether taken alone or in combination, fail to teach or suggest each feature of independent claims 1 and 10, the rejection under 35 U.S.C. § 103(a) should be

withdrawn. Furthermore, claims 2-7 and 11-16 depend from one of independent claims 1 or 10. Accordingly, claims 2-7 and 11-16 are also allowable because of the additional features they recite and the reasons stated above.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

Dated: March 24, 2008

By: Mary Jane Boswell  
Mary Jane Boswell, Reg. No. 33,652

**Customer No. 009629**  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-739-3000  
Fax: 202-739-3001